

Approved: Samuel P. Rothschild
SAMUEL P. ROTHSCHILD
Assistant United States Attorney

Before: THE HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York

20M9159

- - - - - x
:
UNITED STATES OF AMERICA : 20 Mag.
:
- v. - : RULE 5(c)(3)
: AFFIDAVIT
:
DAVID MONDORE, :
:
Defendant. :
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss:

COREY P. LYONS, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

On or about July 31, 2020, U.S. Magistrate Judge Michael J. Roemer, sitting in the U.S. District Court for the Western District of New York, issued a warrant for the arrest of "David Mondore," based on a complaint alleging violations of 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii), 1030(a)(4) and (c)(3)(A), and 1028A. A copy of the arrest warrant is attached hereto as Exhibit A and incorporated by reference herein.

I believe that DAVID MONDORE, the defendant, who was arrested on August 27, 2020, in the Southern District of New York, is the same individual as "David Mondore," who is wanted by the U.S. District Court for the Western District of New York.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Special Agent with the FBI. This affidavit is based on my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of

documents, reports, and records. I have been involved in determining whether DAVID MONDORE, the defendant, is the same individual as "David Mondore," named in the July 31, 2020 arrest warrant from the U.S. District Court for the Western District of New York. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from proceedings in the U.S. District Court for the Western District of New York, I know that, on or about July 31, 2020, U.S. Magistrate Judge Michael J. Roemer issued a warrant for the arrest of "David Mondore" (the "Arrest Warrant"). The Arrest Warrant was issued based on a complaint charging "David Mondore" with violations of 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii), 1030(a)(4) and (c)(3)(A), and 1028A.

3. I have been personally involved in the investigation of "David Mondore," who is wanted by the U.S. District Court for the Western District of New York. I have reviewed pictures of government identification documents for that individual, including a picture of a U.S. passport with a photograph bearing the name "David Carson Mondore" ("Photograph-1") and a picture of a New York driver license with a photograph bearing the name "David C. Mondore" ("Photograph-2").

4. On August 27, 2020, DAVID MONDORE, the defendant, was arrested in the Southern District of New York pursuant to the Arrest Warrant. MONDORE provided law enforcement with a wallet that he said was his. That wallet contained the same New York driver license whose picture I have previously reviewed. I also personally observed MONDORE during and subsequent to his arrest. I compared Photograph-1 and Photograph-2 with MONDORE and have determined that they are the same person. Additionally, at the time of his arrest, in my presence, MONDORE said that his name is "David Mondore."

5. Based on the foregoing, I believe that DAVID MONDORE, the defendant, is the same individual as "David Mondore," for whom the Arrest Warrant was issued.

WHEREFORE, I respectfully request that DAVID MONDORE, the defendant, the defendant, be imprisoned or bailed as the case may be.

s/Corey P. Lyons, by the Court, with permission

COREY P. LYONS
Special Agent
FBI

Sworn to me through the transmission of this Affidavit by reliable electronic means, pursuant to Federal Rules of Criminal Procedure 41(d)(3) and 4.1 this 27th day of August, 2020.



THE HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York

EXHIBIT A

United States District Court

for the
Western District of New York

United States of America

v.

David Mondore

Case No. 20-mj-5176

Defendant

ARREST WARRANT

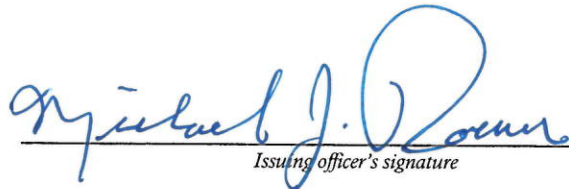
To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (*name of person to be arrested*) **DAVID MONDORE**, who is accused of an offense or violation based on the following document filed with the Court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Title 18, United States Code, Sections 1030(a)(2)(C) and 1030(c)(2)(B)(ii) (unauthorized access to computer systems in furtherance of any criminal act in violation of state law); 1030(a)(4) and 1030(c)(3)(A) (unauthorized access to a protected computer in furtherance of fraud); and 1028A (aggravated identity theft)

Date: July 31, 2020


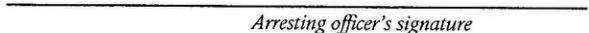
Issuing officer's signature
City and State: Buffalo, New York


HONORABLE MICHAEL J. ROEMER
 UNITED STATES MAGISTRATE JUDGE
Printed name and Title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____,
 at (city and state) _____.

Date: _____



Arresting officer's signature


Printed name and title